

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: EAST PALESTINE TRAIN DERAILMENT

Case No. 4:23-CV-00242-BYP

JUDGE BENITA Y. PEARSON

**[PROPOSED] ORDER GRANTING UNOPPOSED MOTION TO DISMISS  
NORFOLK SOUTHERN’S CLAIMS AGAINST THIRD-PARTY  
DEFENDANT TRINITY INDUSTRIES LEASING COMPANY**

Before the Court is the Unopposed Motion to Dismiss Norfolk Southern’s Claims Against Third-Party Defendant Trinity Industries Leasing Company, filed jointly by Norfolk Southern Corporation and Norfolk Southern Railway Company (collectively, “Norfolk Southern”) and Trinity Industries Leasing Company (“Trinity”), and without opposition from any other parties in this case. Upon consideration of the Motion, and for the reasons set forth therein, the Motion is **GRANTED**. The Court hereby **ORDERS** as follows:

1. Count One and Count Four of Norfolk Southern’s Third-Party Complaint (Dkt. 119) are **DISMISSED** with prejudice as to Trinity only.
2. Each of Norfolk Southern and Trinity shall bear its own fees and costs.

**IT IS SO ORDERED.**

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
The Honorable Benita Y. Pearson